

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CECIL DEMMERIT BANKS, §  
§  
Plaintiff, §  
VS. § CIVIL ACTION NO. 2:13-CV-223  
§  
WILLIAM B. STEPHENS, §  
§  
Defendant. §

**ORDER ON MOTION FOR A STAY**

Pending is Defendant William Stephens' motion for entry of a stay in this case in order to give the Texas Department of Criminal Justice (TDCJ) and Director Stephens an opportunity to revise TDCJ's grooming policies. (D.E. 14). The Court is willing to grant a temporary stay of the proceedings in order to give TDCJ an opportunity to revise its grooming regulations, and further to await the outcome of the *Ali* appeal to the Fifth Circuit Court of Appeals. *See Ali v. Stephens*, No. 9:09-cv-52 (E.D. Tex. Sept. 26, 2014), *appeal docketed*, No. 14-41165 (5th Cir. Oct. 21, 2014).

Any stay will be conditioned upon TDCJ and Director Stephens voluntarily permitting the Plaintiff in this case to wear up to a one-half inch beard while the case is stayed. *Holt v. Hobbs*, 135 S. Ct. 853 (Jan. 20, 2015).

Defendant is ordered to file a statement, within ten days of the date of this Order, indicating whether TDCJ and Director Stephens will voluntarily permit Plaintiff to wear a one-half inch beard while the case is stayed.

ORDERED this 11th day of February, 2015.

  
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NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE